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*LIMITED TO MATTERS
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***SENIOR COUNSEL

August 28, 2001

WRITER'S DIRECT NUMBER:
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Commissioner for Patents
Washington, D.C. 20231

Group Art Unit: 1614

Re: U.S. Utility Patent Application
Appl. No. 09/446,317; § 371 Date: April 17, 2000
(CPA Filed: December 29, 2000)
For: **Complexes for Transporting Nucleic Acid Into Eukaryotic Higher Cells**
Inventors: **WAGNER *et al.***
Our Ref: **0652.2010000/EKS/PSC**

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Amendment And Reply Under 37 C.F.R. § 1.111, with Exhibits A-E;
2. Declaration of Manfred Ogris Under 37 C.F.R. § 1.132, with Exhibits 1-4;
3. Fee Transmittal Form (PTO/SB/17) (*in duplicate*);
4. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1) (*in duplicate*);
5. Our check no. 32370 for \$890.00 to cover Extension fee under 37 C.F.R. § 1.136; and
6. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
August 28, 2001
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Eric K. Steffe
Attorney for Applicants
Registration No. 36,688\

EKS/PSC/lam

Enclosures

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$890.00)

| Complete if Known | |
|----------------------|--|
| Application Number | 09/446,317 |
| § 371 Date | April 17, 2000 (CPA Filed: December 29, 2000) |
| First Named Inventor | Ernst Wagner |
| Examiner Name | Schnizer, R. |
| Group Art Unit | 1614 |
| Attorney Docket No. | 0652.201000/ENS/PSC |

RECEIVED

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Fee Paid

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 19-0036
Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C.

Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17

Applicant claims small entity status
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|-----------------|---------------------------|
| 101 | 710 | 201 | 355 Utility filing fee |
| 106 | 320 | 206 | 160 Design filing fee |
| 107 | 490 | 207 | 245 Plant filing fee |
| 108 | 710 | 208 | 355 Reissue filing fee |
| 114 | 150 | 214 | 75 Provisional filing fee |

SUBTOTAL (1) (\$0.00)

2. EXTRA CLAIM FEES

| Extra | Fee from below | Fee Paid |
|-----------------------|----------------|----------|
| Total Claims - 20** = | X = | |
| Indep. Claims - 3** = | X = | |
| Multiple Dependent | = | |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|---|
| 103 | 18 | 203 9 Claims in excess of 20 |
| 102 | 80 | 202 40 Independent claims in excess of 3 |
| 104 | 270 | 204 135 Multiple dependent claim |
| 108 | 80 | 209 40 **Reissue independent claims over original patent |
| 110 | 18 | 210 9 **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$0.00)

** or number previously paid, if greater; For Reissues, see above

| 3. ADDITIONAL FEES | Large Entity | Small Entity | Fee Description | |
|-----------------------------------|--------------|--------------|-----------------|--|
| | Fee Code | Fee (\$) | Fee Code | Fee (\$) |
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet |
| 139 | 130 | 139 | 130 | Non-English specification |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action |
| 115 | 110 | 215 | 55 | Extension for reply within first month |
| 116 | 390 | 216 | 195 | Extension for reply within second month |
| 117 | 890 | 217 | 445 | Extension for reply within third month |
| 118 | 1,390 | 218 | 695 | Extension for reply within fourth month |
| 128 | 1,890 | 228 | 945 | Extension for reply within fifth month |
| 119 | 310 | 219 | 155 | Notice of Appeal |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal |
| 121 | 270 | 221 | 135 | Request for oral hearing |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable |
| 141 | 1,240 | 241 | 620 | Petition to revive - unintentional |
| 142 | 1,240 | 242 | 620 | Utility issue fee (or reissue) |
| 143 | 440 | 243 | 220 | Design issue fee |
| 144 | 600 | 244 | 300 | Plant issue fee |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner |
| 123 | 130 | 123 | 130 | Petitions related to provisional applications |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt |
| 581 | 40 | 481 | 40 | Recording each patent assignment per property (times number of properties) |
| 146 | 710 | 246 | 355 | Filing a submission after final rejection (37 CFR 1.129(a)) |
| 149 | 710 | 249 | 355 | For each additional invention to be examined (37 CFR 1.129(b)) |
| 179 | 710 | 279 | 355 | Request for Continued Examination (RCE) |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application |
| Other fee (specify): | | | | |
| Other fee (specify): | | | | |
| *Reduced by Basic Filing Fee Paid | | | | |
| SUBTOTAL (3) (\$890.00) | | | | |

SUBMITTED BY

Complete (If applicable)

| | | | | | |
|-------------------|----------------|------------------|--------|-----------|--------------|
| Name (Print/Type) | Eric K. Steffe | Registration No. | 36,688 | Telephone | 202-371-2600 |
| Signature | | | | Date | 9/28/01 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-208.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.